

***Terminal Disclaimer***

1. The terminal disclaimer filed on July 21, 2009 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of the full statutory term prior patent number 6,697,360 has been reviewed and is accepted. The terminal disclaimer has been recorded.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in an interview with attorney of record James Blanchette (Reg. No 51,477) on July 17, 2009.
4. The application has been amended as follows:

**a) In the Claims:**

Claims 36 and 55 are canceled.

35. (CURRENTLY AMENDED) A layer three device for connection to a computer network having a server that assigns Internet Protocol (IP) addresses, the layer three device having a plurality of interfaces each representing a logical connection to the computer network, the layer three device comprising:

a message transmitter connected to the computer network; and

a message receiver connected to the computer network,

wherein the message transmitter is configured and arranged to formulate and broadcast a discover message from an interface of the layer three device that provides connectivity via the network to the server, the discover message indicating

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that the layer three device is requesting assignment of one or more IP addresses for an interface lacking connectivity to the server, the message receiver is configured and arranged to receive and examine an offer sent by the server, that includes at least one or more proffered IP addresses for assignment to the interface lacking connectivity to the server, the message transmitter is configured and arranged to formulate and send to the server a request message, in response to the offer, indicating that the layer three device has accepted the proffered one or more IP addresses for the respective interface, and the message receiver is configured and arranged to receive and examine an acknowledgment from the server that confirms the server's receipt of the request message.

54. (CURRENTLY AMENDED) A method comprising:

broadcasting a discover message from an interface of a layer three device that provides connectivity to a server that assigns Internet Protocol (IP) addresses, the discover message indicating that the layer three device is requesting assignment of an IP address for an interface of the layer three device lacking connectivity to the server;

receiving an offer message from the server, on the interface that provides connectivity to the server, the offer message including a proffered IP address for assignment to the interface lacking connectivity to the server;

sending a message, in response to the offer message, the message indicating that the layer three device has accepted the proffered IP address for the interface lacking connectivity to the server;

receiving an acknowledgment, in response to the message, confirming receipt of the message; and

assigning the proffered IP address to the interface of the layer three device lacking connectivity to the server.

### **REASONS FOR ALLOWANCE**

5. The following is an examiner's statement of reasons for allowance: Claims 35, 37-40, 46, 49-54 and 56-62 are allowable over the prior art of record.

This communication warrants no examiner's reason for allowance, as applicant's reply makes evident the reason for allowance, satisfying the record as whole as required by rule 37 CFR 1.104 (e). In this case, the substance of applicant's remarks in the Amendment filed on June 03, 2009 with respect to the amended claim limitations point out the reason claims are patentable over the prior art of record. Thus, the reason for allowance is in all probability evident from the record and no statement for examiner's reason for allowance is necessary (see MPEP 13202.14).

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance or Examiner Amendment."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is

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assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2455

/saleh najjar/

Supervisory Patent Examiner, Art Unit 2455